

SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S)NO. 927 /2007

PETITIONER

Jhunau Ram Dheemar, S/o.
Jhaggar aged about 60 years, R/o.
Village Bhaisa Post Kharora, Tehsil
& District Raipur (C.G.)

P.R. No.

Presented by Shri

dated.

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through Secretary, Water Resources
Department, D.K.S. Bhavan,
Mantralaya, Raipur (C.G.)
2. Executive Engineer, Water
Management, Division No. 2, Baloda
Bazar, District Raipur (C.G.)
3. Sub Divisional Officer, Water
Management, Sub Division No. 5,
Kanki, District Raipur (C.G.)

**WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE
NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR
ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE
MATTER**

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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 927 of 2007

Petitioner : Jhunau Ram Dheemar

Versus

Respondents : State of Chhattisgarh and others

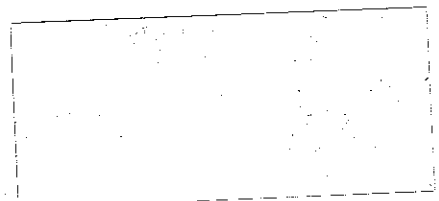
SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Present: Mr. Sunil Otwani, Advocate for the petitioner.
Ms. Deepali Pandey, Panel Lawyer for the State/respondents.

ORDER

(Passed on this 14th Day of February, 2007)

1. By this petition, the petitioner, who has worked for more than 25 years as Gangman seeks a relief that the petitioner being permanent gangman be retired at the age of 62 years in accordance with the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (for short 'the Act, 1967') read with Fundamental Rule (for short 'F.R.')56.
2. According to learned counsel for the petitioner, the petitioner attained the status of permanent employee, as defined under Rule 2(c) of the Chhattisgarh (Workcharged and Contingency Paid Employees) Pension Rules, 1979 (for short 'the Rules, 1979'), framed under Article 309 of the Constitution of India. After having attained the status of the permanent employee the petitioner would retire on attaining the age of 62 years on superannuation under the provisions of the Act, 1967.



(35)

3. Learned counsel appearing for the petitioner would submit that the case of the petitioner is squarely covered by the decision of this Court passed on 4th January, 2007 in W.P. No. 108/2005 (Govind Vs. State of Chhattisgarh & others) and other connected matters.
4. Learned counsel appearing for the respondents/State does not dispute the submissions made by learned counsel for the petitioner.
5. Accordingly, the petitioner, who is permanent gangman, is entitled to retire on attaining the age of 62 years in accordance with the Act, 1967. The petition is accordingly allowed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash